



# University of Pittsburgh

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**TO:** Chancellor, Provost, Senior Vice Chancellors, Vice Chancellors, Deans, Directors, Department Chairpersons, and Sponsored Project Directors

**FROM:** Hari Sastry *HS*

**DATE:** December 11, 2019

**SUBJECT:** FY 2020-2023 Sponsored Projects Facilities and Administrative (Indirect) Cost Rates

The University of Pittsburgh and the Department of Health and Human Services (DHHS) have signed a new Facilities & Administrative (F&A) Cost Rate agreement for FY 2020-2023 effective November 19, 2019. The following enclosures detail the rates and the application thereof:

**EXHIBIT I** F&A Cost Rates and Definitions  
**II** Application of F&A Cost Rates

If you have any questions or need further clarification, please contact Mike Moran, Director, Cost Accounting, 3100 Cathedral of Learning, at (412) 624-6625.

Enclosures

**UNIVERSITY OF PITTSBURGH**  
**F&A COST RATES AND DEFINITIONS**  
**FOR FISCAL YEARS 2020 AND BEYOND**

**F&A Rate Types**

Appendix III, Section A.1 of “Part 200-Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (UG) defines three major functions or activities under which sponsored projects are carried out by educational institutions: sponsored research, sponsored instruction and training, and other sponsored activities. These definitions are to be applied during proposal preparation to determine, based on sponsored project activity or scope of work, the applicable F&A rate for inclusion in the budget of an individual sponsored project proposal. The F&A rates below are effective immediately. Please refer to Exhibit II for rate application guidance.

	<u>LOCATION</u>	<u>BASE</u>	<u>FY 20</u>	<u>FY 21</u>	<u>FY 22</u>	<u>(1)</u> <u>FY 23</u>
<b><u>Federal F&amp;A Rate Agreement: (2)</u></b>						
Sponsored research	ON	MTDC	56.5%	56.5%	56.5%	59.0%
Sponsored instruction	ON	MTDC	43.0%	43.0%	43.0%	44.0%
Other sponsored activities	ON	MTDC	30.0%	30.0%	30.0%	31.0%
All programs	OFF	MTDC	26.0%	26.0%	26.0%	26.0%
 <b><u>Other F&amp;A Rates:</u></b>						
Industry-sponsored research		MTDC	61.5%	65.0%	65.0%	65.0%
Industry-sponsored clinical trial		TDC	30.0%	30.0%	30.0%	31.0%

**Notes:**

(1) For awards that extend beyond FY 2023, the FY 2023 rates will be utilized until amended.

(2) Source: University of Pittsburgh Rate Agreement dated November 19, 2019.

Refer to Section C of Exhibit II for further clarification of on and off campus rates.

## **Definition of F&A Rate Types**

### **Sponsored Research**

Sponsored research is defined as research and development activities that are sponsored by Federal, non-Federal and not-for-profit agencies and organizations. Research and development activities of an institution are designed via protocol to produce research outcomes and are separately budgeted and accounted for. Research is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. Development is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including the design and development of prototypes and processes. For purposes of F&A rate development, sponsored research excludes research training and career development awards discussed below under sponsored instruction. Sponsored research projects are assigned function codes 202 (on-campus) and 203 (off-campus) in PRISM.

### **Sponsored Instruction**

Sponsored instruction is defined as teaching and training activities of the University established by grant, contract or cooperative agreement that are sponsored by Federal, non-Federal and not-for-profit agencies and organizations. It includes agreements which support curriculum development as well as the teaching/training of any student at any location. Examples include:

- research training and career development awards that provide for the training of individuals in research techniques, where such activities utilize the same facilities as research and development activities, such as NIH A, D, K, and T awards, NSF Research Experience for Undergraduates (REU) and Research Experience for Teachers (RET) awards, and Young or Junior Investigator awards
- training of teachers, administrators or students in elementary or secondary schools

Sponsored instruction projects are assigned function codes 101 (Instruction) and 109 (Sponsored Research Training) in PRISM.

### **Other Sponsored Activities**

Other sponsored activities are defined as activities that are sponsored by Federal, non-Federal, and not-for-profit agencies and organizations which involve the performance of work other than sponsored research and sponsored instruction. Such projects can include sponsored public service projects that benefit the public at large or special public sectors within the general public community. Specific examples include:

- community health service projects that evaluate the health related impact of infectious diseases, workplace and environmental issues, infant mortality, stroke and heart disease, radiation safety, etc.
- non-health community service programs that evaluate social or economic impacts
- clinical trials
- Intergovernmental Personnel Act (IPA) agreements

Other sponsored activities projects are assigned function codes 304 (Community & Health), 306 (Scientific), and 307 (Clinical Trials) in PRISM.

**UNIVERSITY OF PITTSBURGH**  
**APPLICATION OF F&A COST RATES**

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**A. F&A Overview**

F&A costs (also known as indirect costs or overhead costs) are those costs associated with the conduct of sponsored projects that are incurred for common or joint objectives and therefore are not readily identifiable with a specific project. These costs are legitimate costs incurred by the University in support of the performance of sponsored projects. Examples of costs normally considered to be F&A costs include, but are not limited to, administrative/clerical; facilities management and utilities; general-purpose equipment; office supplies; postage; memberships and dues; subscriptions/books/periodicals and; local telephone charges.

Subpart B, Subsection 200.100, Paragraph (c) of the UG provides that the Federal government must bear its “fair share of costs” related to Federal sponsored projects. As a result, the UG permits universities to recover F&A costs attributable to Federal grants and contracts through the application of F&A rates computed on the basis of actual costs incurred. The UG also defines the cost categories that are eligible for reimbursement. F&A rates are periodically negotiated with our cognizant Federal audit agency, the Department of Health and Human Services (DHHS), through the University’s “Facilities and Administrative Cost Rate Proposal”.

The F&A rates are calculated by grouping costs into common pools and distributing the costs to the benefitting institutional activities through a cost allocation process. The resulting negotiated F&A rates are applied to individual sponsored projects to determine the amount of F&A costs allocable to each award.

**B. General F&A Rate Application**

**1. Maximizing F&A Cost Recovery**

The University requires the inclusion of applicable F&A rates in all proposal budgets, unless specifically prohibited, and it requires that F&A costs will be recovered to the maximum extent possible within the boundaries of statute or policy, as F&A costs are legitimate costs incurred by the University in support of the performance of sponsored projects.

For sponsored projects supported by the Federal government, the UG prescribes the allowability of certain costs and the assignment of those allowable costs as direct or indirect. With certain limitations, the principles of the UG are designed to provide that the Federal government bears its fair share of total costs (direct and indirect) on projects sponsored by Federal agencies. Therefore, requesting less than the Federal negotiated F&A rates is not recommended.

However, it is important to note that some Federal programs or agencies may have statutory or regulatory limits on F&A recovery that must be applied in place of the University's Federal negotiated F&A rates. For example, DHHS limits the F&A rate for research training programs, which are instruction in nature, to 8% of Total Direct Costs (TDC) less tuition and fees (including applicable health insurance), capital equipment, and subcontracts in excess of \$25,000.

The F&A rates for Federal pass-through awards should be applied as though the University were contracting directly with the Federal agency.

Non-Federal sponsors are not bound by the terms of the UG and are not necessarily guided by the principle of full direct and indirect cost recovery for the University. As such, non-Federal sponsors sometimes do not fully reimburse the University for the applicable F&A costs associated with sponsored projects, as they can prescribe F&A rates in the terms and conditions of their awards that are lower than those set forth in the University's Federal negotiated rate agreement. In some instances these lower F&A rates are linked to a funding agency's operating philosophy of partnering with the University in developing new programs. In the majority of cases, however, it is simply an administrative decision on the part of the sponsor not to honor the University's Federal negotiated F&A rate agreement and to require their own contractual F&A rates. For example, the Bill and Melinda Gates Foundation limits the University's recovery of F&A costs to 10% of TDC.

## 2. Pro-rating Budgets Between Fiscal Years

When a budget period coincides with the University's fiscal year (July 1<sup>st</sup> to June 30<sup>th</sup>), the F&A rate for that particular fiscal year applies whether an award is for a single year, or is for multiple years. When it does not coincide and the F&A rate increases or decreases from one fiscal year to the next, the proposed budget should be prorated between fiscal years and the appropriate F&A rates should be applied.

For example, a calendar year budget would be prorated 50% at the F&A rate applicable to the first six months of the budget period, and 50% at the F&A rate applicable to the second six months of the budget period.

	<b>Calendar Year Budget</b>	<b>First Six Months Budget</b>	<b>Second Six Months Budget</b>
MTDC	\$200,000	\$100,000	\$100,000
Excluded Costs	<u>\$100,000</u>	<u>\$50,000</u>	<u>\$50,000</u>
Total Direct Costs	\$300,000	\$150,000	\$150,000
Indirect Costs:			
FY18 F&A Rate 55.5%	\$55,500	\$55,500	\$0
FY19 F&A Rate 56.5%	<u>\$56,500</u>	<u>\$0</u>	<u>\$56,500</u>
Total Direct & Indirect Costs	\$412,000	\$205,500	\$206,500

F&A rates can never be averaged or "blended".

### 3. Multi-year Awards

The University applies for and receives many multi-year sponsored projects. Multiple year projects should reflect the appropriate rate for each fiscal year. For awards that extend beyond FY 2023, the FY 2023 rate should be utilized until amended.

#### NIH Awards

The F&A rates shown in Exhibit I are to be applied to all new and competing-renewal sponsored project proposals submitted to the Office of Research.

An application is considered to be competing any time it is initially submitted for peer review. This includes first-time (Type 1, new), revised (Type 1, amended), and competing continuation (Type 2, competing renewal) applications. An application is considered to be non-competing when it is submitted as part of the progress report (Type 5) during the subsequent budget periods within the competitive segment, which are not subject to peer review.

Non-competing continuations originally approved with negotiated F&A rates from the University's previous Federal F&A rate agreement must continue to be applied in the award application budgets until the award is up for competitive renewal; or until instructed otherwise.

Appendix III, Section C.7, Paragraph (a) of the UG states that:

Except as provided in paragraph (c)(1) of subsection 200.414 "Indirect (F&A) costs", Federal agencies must use the negotiated rates for indirect (F&A) costs in effect at the time of the initial award throughout the life of the Federal Award. Award levels for Federal awards may not be adjusted in future years as a result of changes in negotiated rates. "Negotiated rates" per the rate agreement include final, fixed, and predetermined rates and exclude provisional rates. "Life" for the purpose of this subsection means each competitive segment of a project. A competitive segment is a period of years approved by the Federal awarding agency at the time of the Federal award. If negotiated rate agreements do not extend through the life of the Federal award at the time of the initial award, then the negotiated rate for the last year of the Federal award must be extended through the end of the life of the Federal award.

Predetermined Federal F&A rates have been established through FY 2019 and cannot change over the life of the award. However, the University can and does negotiate rate agreements that contain different F&A rates over the life of the rate agreement and this practice is compliant with Appendix III, Section C.7, Paragraph (a) of the UG. In other words, once the rates are negotiated and incorporated into a sponsored agreement, the rates cannot change, but they can vary between fiscal years.

**C. Specific F&A Rate Application**

**1. On-Campus vs. Off-Campus – All Programs**

The classification of sponsored projects as on-campus or off-campus is solely for the purpose of applying the correct F&A rate. The on-campus F&A rate includes reimbursement for “facilities” costs, such as the depreciation or lease of buildings and equipment, interest on debt associated with capital assets, and operations and maintenance of the University’s physical plant, whereas the off-campus F&A rate does not include these costs.

- The **On-Campus** rate should be applied when the activity is conducted in a:
  - University-owned facility, including regional campuses; or
  - University-leased facility and the cost of the lease is not charged directly to the sponsored project
- The **Off-Campus** rate should be applied when the activity is conducted in a:
  - University-leased facility and the cost of the lease is charged directly to the sponsored project; or
  - Federal facility such as a U.S. Department of Veterans Affairs (VA) medical facility, regardless of whether the University can charge the lease expense directly to the project

It is important to note that the University’s preferred method of recovery of facility lease costs is to negotiate full, on-campus F&A rates and to charge any facility lease costs to appropriate, non-sponsored departmental accounts.

Telecommuting, conference attendance, summer travel, and portions of a project performed by subcontractors and or/consultants are not justifications for the off-campus determination.

**Apportioning Projects** – When the activities of a sponsored research project occur in both on-campus and off-campus locations for a budget period, only those sponsored research projects that meet the following criteria should be apportioned between its on-campus and off-campus components:

- The primary activity of the award meets the definition of sponsored research, and
- The total combined salaries and wages for the budget period are greater than or equal to \$100,000, and
- The total salaries and wages for each component must total at least 25%, and
- The portions can be clearly identified by means of separate budgets.

Here are three examples to illustrate:

<u>Research Rate</u>	<u>S&amp;W Budget #1</u>	<u>S&amp;W Budget #2</u>	<u>S&amp;W Budget #3</u>
On-Campus	\$48,000 60%	\$80,000 80%	\$70,000 70%
Off-Campus	\$32,000 40%	\$20,000 20%	\$30,000 30%
Total	<u>\$80,000</u> 100%	<u>\$100,000</u> 100%	<u>\$100,000</u> 100%
Apportion?	No	No	Yes

## 2. Industry-Sponsored Research

This F&A rate is not included in the University's Federal F&A rate agreement negotiated with the DHHS, and is only applicable to industrial and commercial projects, that meet the definition of sponsored research, received from for-profit entities that are not providing Federal pass-through funds to the University. This rate is to be used when the University proposes an F&A rate in conjunction with grant or contract negotiations unless a sponsor proposed rate is mandated. This F&A rate is applied on the basis of Modified Total Direct Cost (MTDC).

## 3. Clinical Trials

- For **federally**-sponsored clinical trial site activity, use the OSA rate based on **modified total direct costs (MTDC)**
- For **industry**-sponsored clinical trial site activity, use the OSA rate based on the **total direct costs (TDC)**

## D. Base of Application

F&A rates for sponsored projects are to be applied on the basis of MTDC, unless otherwise stated under the specific terms of the agreement. The standard MTDC is defined as total direct costs, less certain exclusions prescribed by the UG.

Examples where the base of application deviates from the standard MTDC base include:

- Instances where a sponsor has a written policy/guideline that restricts F&A cost recovery to less than the University's Federal negotiated F&A rates and does not specify how it is to be applied, the F&A rate should be applied on the basis of TDC. If the sponsor does specify how the F&A rate is to be applied, it should be applied on a non-standard MTDC basis (TDC, less the F&A exclusions)
- Research Training Grants (T), Education Grants (R25), and Career Development Awards (K). Trainee stipends are included in the MTDC base per section 7.4 (Reimbursement of Facilities and Administrative Costs) of the NIH Grants Policy Statement. "F&A costs under Kirschstein-NRSA institutional research training grants, educational and K awards will be budgeted and reimbursed at a rate of 8 percent of modified total direct costs, exclusive of tuition and fees, health insurance (when awarded as part of tuition and fees), expenditures for equipment, and consortiums in excess of \$25,000" rather than on the basis of a negotiated rate agreement



The Standard MTDC is defined as all sponsored project expenditures exclusive of the following:

<u>SUBCODE</u>	<u>SUBCODE DESCRIPTION</u>
5720	Non-Degree Post-Doctoral Student Fellowship
5722	Other Fellows
5725	Clinical Fellows
5761	Post-Doctoral Degree Candidates
5763	Work Study – On Campus
5765	Work Study – Off Campus
5767	Work Study – Special FICA
5783	Work Study Recovery – On Campus
5785	Work Study Recovery – Off Campus
5820	Stipend – Training Grant
5825	Stipend – Post-Doctoral Scholars
5830	Stipend – Pre-Doctoral Fellowship
5840	Stipend – Dependency Allowance
5911, 5913	Graduate Student Fringe Benefits
5916	Other Student Fringe Benefits (see 5720)
5951	Non-Overhead Bearing Fringe Benefits Adj.
6081-6082	Interdepartmental Computer Supplies
6088	Interdepartmental Non-OH Bearing Supplies
6092-6096	Interdepartmental Supplies – Book Centers Only
6100-6199 (3)	Equipment & Other Fixed Assets Over \$5,000
6453-6455 (1) (3)	Subcontracts – Above \$25,000 (indirect costs have been charged on the first \$25,000 in subcodes 6450-6452)
6460	Purchased Service Agreements
6491	Interdepartmental Non-OH Bearing Services
6890-6894	Interdepartmental Printing & Publications
7290-7292	Interdepartmental Delivery & Moving
7300-7399	Space Rental
7505	Participant Living Allowances
7515	Patient Care Costs
7520 (2)	Trainee Health Insurance
7540	Institutional Allowance
7550	Program Income - Award Related
7600-7699 (3)	Financial Aid
8200-8299	Transfers
8320	TEP (Temporary Employee Pool) Overhead
8350	Indirect Costs
8351	Indirect Cost Adjustments
8500-8599	Computing Charges

**Notes to Standard MTDC Subcode Exclusions:**

- (1) Subcodes 6453-6455** – For subcontracts, Appendix III, Section C, Paragraph 2 of the UG dictates that F&A costs can only be recovered on the first \$25,000 of subaward payments regardless of the period covered by the subaward. For purposes of complying with the requirements of the UG with respect to the recovery of F&A costs on subawards, the subaward period or life is defined by the UG and the NIH Grants Policy Statement as a competitive segment, which is the initial project period recommended for support (up to 5 years); or each extension of a project period resulting from a competing continuation award. Accordingly, F&A costs can be recovered on the first \$25,000 of a subaward for each competitive segment, either initial or continuation.
- (2) Subcode 7520** – For trainee health insurance, the exclusion of subcode 7520 from MTDC depends upon grant-specific requirements. For example, trainee health insurance is not excluded from MTDC on National Research Service Award (NRSA) institutional research training grants (T32, T34, T35, and the NRSA component of T90) and all other grant mechanisms that utilize NRSA authority per NIH Notice Number NOT-OD-06-093.
- (3) Subcodes 61XX, 6453-6455, & 76XX** – For NIH research training, education, and career development awards, the MTDC base exclusions are limited to 1) capital equipment (61XX – Equipment & Other Fixed Assets Over \$5,000), 2) consortium costs in excess of \$25,000 (6453-6455 – Subcontracts Above \$25,000), and 3) tuition and fees (76XX – Financial Aid).